

Exhibit 14

Deposition of Kurt Otto

(February 6, 2017)

(excerpted)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON)
FITCH, on behalf of)
themselves and all others)
similarly situated,)
)
Plaintiffs,)
)
vs.) Case No.
) 2:15-cv-01045-RFB-(PAL)
)
ZUFFA, LLC, d/b/a Ultimate)
Fighting Championship and)
UFC,)
)
Defendant.)
_____)

VIDEOTAPED DEPOSITION OF

KURT OTTO

New York, New York

February 6, 2017

10:00 a.m.

Reported by:
JUDITH CASTORE, CLR
Job No. 48410

<p>1 OTTO 2 other revenue streams; otherwise, 3 you're dead in the water.</p> <p>4 Q So, in order to compete on 5 the level of the UFC, you need a ton of 6 capital; is that right?</p> <p>7 A To start off with. 8 MR. SKAGGS: Objection. 9 Leading.</p> <p>10 Q You said "to start off with," 11 a ton of capital; yes?</p> <p>12 A Yes. To get that machine 13 going so that you can prove to the TV 14 network that you have the wherewithal 15 to actually put on an event. Not just 16 a one-off situation; I'm talking about 17 a season. I am talking about, I'm 18 going to deliver you 35 shows.</p> <p>19 Q You need a lot of top-level 20 fighters in order to get the TV 21 contract?</p> <p>22 MR. SKAGGS: Objection. 23 Foundation.</p> <p>24 Q Is that right?</p> <p>25 A It's all linked.</p>	<p>242</p> <p>1 OTTO 2 MR. SKAGGS: Objection. 3 Foundation. Leading.</p> <p>4 A Correct.</p> <p>5 Q Go ahead.</p> <p>6 A And one more thing, it's 7 tough to get the top fighters if you 8 don't have a TV deal for them to strut 9 their stuff. You -- you know, 10 everybody wants their 15 minutes of 11 fame, right?</p> <p>12 So it's not -- in the 13 beginning, they say, Oh, Man, I want 14 all the money; I want the sponsorship; 15 I want to have the glory; I want to 16 have all the stuff, but in reality, 17 first, they just want to be shown on 18 TV. They want to show their parents 19 that they're on TV and they're 20 fighting. I know it's crazy, but it's 21 the truth.</p> <p>22 And then -- but if you -- if 23 you're on some wacky network on some 24 crazy station that they're showing at 25 2:00 in the morning, who wants that?</p>
<p>1 OTTO 2 Q And you need the TV contract?</p> <p>3 A Yes. And --</p> <p>4 Q It's hard to --</p> <p>5 A And then, the TV networks get 6 upset if they can't sell time to 7 Gatorade, the beer companies, the 8 popcorn companies, and the Muscle Milk, 9 and the HeadBlade, and whatever. So, 10 if someone is blocking you from doing 11 that, it's a challenge.</p> <p>12 Q Hard to compete if you have a 13 competitor out there blocking you from 14 gettings top sponsors?</p> <p>15 MR. SKAGGS: Objection. 16 Leading. Foundation.</p> <p>17 Q Is that right?</p> <p>18 A That is 100 percent right.</p> <p>19 Q Sounds like there's a bit of 20 a catch-22 because it's hard to get the 21 top-level fighters unless you're 22 already an established business with a 23 top TV contract. It's hard to get a TV 24 contract unless you have the top-level 25 fighters?</p>	<p>243</p> <p>1 OTTO 2 How can you -- how could you generate 3 revenue from that?</p> <p>4 So, unfortunately, in that 5 business, you have to go from first 6 gear to sixth gear, like this. And 7 then you're all in; chips in, and it's 8 do or die. And then, if anything 9 breaks, it's risky.</p> <p>10 Q So it's a difficult business 11 to break into, in your opinion?</p> <p>12 MR. SKAGGS: Objection. 13 Foundation.</p> <p>14 A It's as tough as it is. And 15 then, on top of that, you have people 16 shooting arrows at you.</p> <p>17 Q Like Zuffa?</p> <p>18 MR. SKAGGS: Objection. 19 Foundation.</p> <p>20 A Right.</p> <p>21 Q Are you aware that Zuffa 22 acquired the World Fighting Alliance?</p> <p>23 MR. SKAGGS: Objection. 24 Foundation.</p> <p>25 Q In about 2006?</p>

62 (Pages 242 to 245)

	246		248
1	OTTO	1	OTTO
2	MR. SKAGGS: Leading.	2	A From a strategic standpoint
3	A I know there is -- was a	3	if you have the capital to do it, I
4	maybe three or four companies they	4	understand why they would do it. If
5	acquired.	5	that's, in fact, why they did it, I
6	Q World Extreme Cage Fighting?	6	understand why they did it.
7	MR. SKAGGS: Objection.	7	But to directly answer your
8	A Yes, WEC.	8	questions, Does it limit your fight
9	Q So you're aware that Zuffa	9	pool? Yes. For free agents, yes.
10	acquired WEC?	10	Q For rivals?
11	MR. SKAGGS: Objection.	11	A Yes.
12	Foundation.	12	Q Did Zuffa ever
13	A At the time, yes.	13	counter-program any of IFL's events?
14	Q And you're aware that Zuffa	14	MR. SKAGGS: Objection.
15	acquired Pride in 2007?	15	Q Meaning, put up a Zuffa event
16	MR. SKAGGS: Objection.	16	or UFC event counter to an IFL event?
17	Foundation.	17	MR. SKAGGS: Leading.
18	A Yes.	18	Foundation.
19	Q Do you have an opinion about	19	A I do recall that. I don't
20	whether Zuffa's acquisition of Pride	20	know the specific event or the date or
21	and WEC and WFA, in or about 2006 or	21	the year, but I do know that it may
22	2007, made it more difficult or less	22	have crossed paths maybe once or twice.
23	difficult to compete with the UFC?	23	It could have been coincidental. Maybe
24	MR. SKAGGS: Objection.	24	not. I do remember some talk about
25	Calls for speculation, and	25	that, or I do -- it directly relates to
	247		249
1	OTTO	1	OTTO
2	irrelevant.	2	our season being exposed ahead of time,
3	A Well, you tell me. If I need	3	so I know that there was talk about
4	to go get fighters that are bigger	4	that.
5	names, they're not in the woods	5	Q That Zuffa might have decided
6	somewhere up, in a tree, hiding,	6	to put out an event counter to an IFL
7	they're in a fight organization. And	7	event in order to make sure that the
8	if they're locked up in a contract	8	IFL event was not as successful as it
9	prematurely or a contract that was	9	otherwise might have been?
10	transferred and assumed because of the	10	MR. SKAGGS: Objection.
11	acquisition, I have no shot of getting	11	Leading. Foundation.
12	that fighter.	12	A Correct. And there is one
13	So I have to go all the way	13	more thing to that. Like -- and,
14	down to the gym level and go find a new	14	again, this is just my opinion, okay?
15	gym rat that has talent and build them	15	That if -- let's say I book something
16	up and start from scratch. So, if you	16	on a Saturday night in Dallas, Saturday
17	buy all the talent, your chances of	17	night, midmonth. If another MMA event,
18	finding Conor McGregor are slim to	18	let's say, the UFC, was two weeks
19	none; this one is out of town.	19	before that or a week before that, not
20	Q Is that, you believe, what	20	even on the same night, that arena
21	Zuffa was engaged in, in part, in	21	could frown on that because it's, like,
22	buying all of these companies?	22	saturated, like, Oh, we just had an
23	MR. SKAGGS: Objection.	23	event there. I don't know. We're not
24	Calls for speculation. Leading.	24	going to sell as much Coca-Cola and
25	Foundation.	25	popcorn; who's going to show up.

	250		252
1	OTTO	1	OTTO
2	Okay. So you have that kind	2	the record.
3	of effect, but again, that's just my	3	MR. CRAMER: I was asked
4	opinion from a business standpoint.	4	before we finished, what the
5	So -- but I do recall I know that they	5	nature of Exhibit 8 was, the
6	had our schedule, because everybody and	6	International Fight League Team
7	their mother had it. And I do recall	7	Member Fight Agreement, or the
8	there was conflicting times.	8	provenance of it was, and it, for
9	Q Did the IFL pay the health	9	whatever reason, the exhibit
10	benefits of its fighters?	10	version did not have a Bates
11	A Yep. Yes.	11	number, but it was produced to
12	Q How did you go about -- what	12	Zuffa or Zuffa's counsel, bearing
13	was the nature of the benefits offered	13	the Bates range 8B-PLPF0001123
14	by the IFL to fighters?	14	through 1141.
15	A Well, we had an event policy,	15	I don't know why the version
16	twofold, that if anyone was ever	16	that we're using is not a version
17	injured as a fighter in the event --	17	that was Bates stamped. I can't
18	and then also people in the stands	18	answer that question. But we --
19	sometimes fight, so you had that event	19	apparently, this was sent to Zuffa
20	insurance for the, like, the Jets and	20	under cover of a letter, dated
21	Phillies fans -- I'm just kidding. And	21	January 12, 2007.
22	the Raiders.	22	Over to you.
23	So we would have event	23	EXAMINATION BY MR. SKAGGS:
24	insurance that night. And then, also,	24	Q How are you? I'm Rory
25	every single time somebody was injured,	25	Skaggs. I'll be asking you some
	251		253
1	OTTO	1	OTTO
2	legitimately injured, whether it was	2	questions. If you don't understand
3	practice or whether it was in a fight,	3	just let me know, and I will try to
4	or whether they lost a tooth or whether	4	rephrase.
5	they broke a nose or whether they	5	We talked a little bit about
6	cracked an orbital or whatever the	6	this at the beginning, but you said you
7	situation was, we sent them to the	7	had probably met the named plaintiffs
8	emergency room, and we paid for that in	8	in this case at some point.
9	full ourselves, every time.	9	Do you remember any
10	MR. CRAMER: All right.	10	conversations you might have had with
11	Thank you. I have no further	11	them?
12	questions.	12	A If anything, it would just be
13	THE WITNESS: Uh-huh.	13	like a hello and goodbye. Maybe they
14	MR. SKAGGS: I need to take a	14	came to my event or I was at an event
15	look at this. Maybe 15 minutes;	15	that they were at, just like introduce,
16	does that work?	16	hello.
17	MR. CRAMER: Sure.	17	Q Nothing substantive?
18	MR. SKAGGS: Cool.	18	A No conversation but hello or
19	VIDEOGRAPHER: The time now	19	goodbye. That's it.
20	is 2:37. Going off the record.	20	Q So we've been talking -- or,
21	(Whereupon, a brief recess	21	you've been talking about your
22	was taken.)	22	experience with IFL.
23	VIDEOGRAPHER: The time now	23	Just so I'm clear, before you
24	is 2:53. This marks the beginning	24	started IFL, you had no previous
25	of Tape Number 3. We're back on	25	business experience in MMA promotion;

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